

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Stanley R.Chesler

v. : Crim. No.09-863

MICHAEL C. SCIARRA, :
a/k/a "the Old Man"
and "Big Mike,"

PETER VENTRICElli, :

MICHAEL A. SCIARRA,
a/k/a "Little Mike,"

MARK VENTRICElli :

ORDER FOR CONTINUANCE

This matter having come before the Court on the application of Paul J. Fishman, United States Attorney for the District of New Jersey V. Grady O'Malley, Senior Litigation Counsel, with the consent of the above named defendants by their counsel, for an order granting a continuance of the proceedings in the above-captioned matter, and the defendants being aware that each has the right to have the matter brought to a speedy trial pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendants having consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Trial for the above captioned case is scheduled for January 4, 2011. The charges in this case being the result

of a lengthy investigation, and the discovery being voluminous, including numerous audio recordings; and,

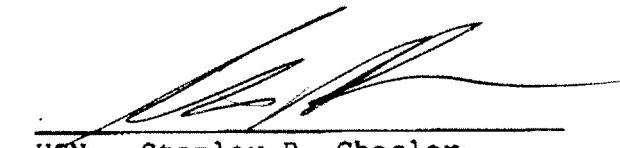
(2) Counsel for all parties have exercised diligence in their efforts to prepare. However, the government has recently been required to substitute counsel based upon the extraordinary amount of time required by the assigned AUSA, Leslie Schwartz, to prepare and try over the past six weeks the matter of U.S. v. David Moro (WHW). The facts of this case, including the review of dozens of lengthy tape recordings, are sufficiently complex that it would be unreasonable to expect a newly assigned AUSA to adequately prepare for trial by January 4, 2011;

(3) Furthermore, plea negotiations have been successful to the extent that the United States and at least one defendant have come to an agreement upon a plea resolution which, after said plea, could lead to one or more additional pleas;

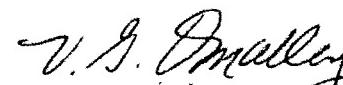
(4) As a result of the foregoing, pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore, on this 1 day of December
ORDERED that trial of this matter is hereby adjourned until May 10, 2011; and it is further

ORDERED that the period from the date of this order through May 10, 2011 shall be excludable in computing time under the Speedy Trial Act of 1974.



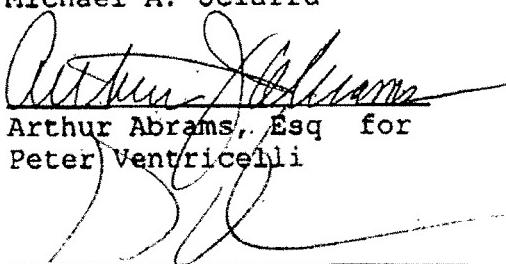
HON. Stanley R. Chesler
United States District Judge



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Michael C. Sciarra

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